

PRIVATE HIRE PLATE EXEMPTION POLICY AND CONDITIONS

Section 75(3) Local Government (Miscellaneous Provisions) Act 1976 “exemption from displaying plates” notice

1. Statement of intent

- 1.1 The aim of this policy is to ensure public safety whilst taking a balanced approach to licensing requirements. Its objective is the provision of an exemption to allow ‘executive vehicles’ to operate without displaying external identification plates.

2. Introduction.

- 2.1 The displaying of the external identification plate on a licensed vehicle and a driver’s badge is important in terms of public safety and reassurance. They indicate to the travelling public that prior to being licensed both the vehicle and the driver have been subjected to checks to ensure their (the public’s) safety.
- 2.2 However, there are occasions when the requirement to display an external identification plate may have the opposite effect in terms of customer safety and could have commercial implications for the operating business. The display of Local Authority licence plates externally may also deter some corporate customers from using the service; and in some circumstances the identification of the vehicle as a licensed vehicle may allow “high risk” passengers to be more readily targeted putting both them and the driver at risk.
- 2.3 The Local Government (Miscellaneous Provisions) Act 1976 requires that private hire vehicles display an identification plate (licence plate) and drivers of those vehicles wear a driver’s badge. The same legislation also allows Braintree District Council to exempt vehicles from the need to display an identification plate and, where that exemption applies, the requirement to wear a private hire driver’s badge.
- 2.4 It is not intended that all private hire vehicles licensed by Braintree District Council should be exempt from the Council’s requirement to display an external identification plate, however the Council recognises that there may be circumstances when it would be appropriate for vehicles operating the type of service to be considered suitable for such an exemption.

- 2.5 In creating it's policy Braintree District Council does not seek to provide a definitive list of vehicles it considers to be suitable (subject to use) for exemption from the requirement to display external identification plates.
- 2.6 This policy provides guidance to potential applicants on the standards of vehicle comfort and equipment that the Council considers should be the minimum standard of comfort and vehicle type before the Authority would consider such an application. This policy should be read in conjunction with the council's existing policy relating to private hire vehicles and establishes additional criteria that the Council (and its officers) will take into account when determining applications for a private hire vehicle to be exempt from displaying external identification plates.
- 2.7 Potential applicants will need to demonstrate that the vehicle will be used exclusively for executive clients and/or special occasions. Examples of these journeys Corporate Events, Conferences, Exhibitions and Meetings, Chauffeured services and School Proms

3. THE POLICY

- 3.1 Exemptions from displaying external identification plates (vehicle licence plates) may be in respect of individual vehicles only. Applications for exemptions relating to a fleet of vehicles will not be allowed.
- 3.2 Each application will be assessed on its own merit and each vehicle will be inspected by an authorised council officer to ensure that it is fit for purpose.
- 3.3 Applications for exemption from the requirement to display an external identification plates on the front and rear of a private hire vehicle along with side stickers may be considered where the following requirements are met;
- Vehicles may be of any colour.
 - The vehicle to be exempted is of a high quality both in terms of brand and condition.
 - A vehicle presented for a licence is to be no older than 3 years at first application (this shall include any change of vehicles in respect of an existing licence). The age of the vehicle will be taken from the vehicle registration document or in case of imported vehicles from the relevant importation certificates. (If the applicant feels that their vehicle should be an exception to the age limit, the application will be referred to a Sub Committee of the Licensing Committee). Once the exemption has been approved it can then be maintained beyond the 3 years providing that it continues to meet the rest of the policy standards.

- Limousines presented for a licence are to be no older than 10 years at first application (this shall include any change of vehicles in respect of an existing licence). The age of the vehicle will be taken from the vehicle registration document or in case of imported vehicles from the relevant importation certificates. (If the applicant feels that their vehicle should be an exception to the age limit, the application will be referred to a Sub Committee of the Licensing Committee). Once the exemption has been approved it can then be maintained beyond the 10 years providing that it continues to meet the rest of the policy standards.
 - Vehicles will be larger than the Ford Mondeo class vehicles and will normally be the accepted luxury brands such as Mercedes Benz, BMW, Jaguar, Rolls Royce, Bentley and Lexus. The highest specification executive type cars from other manufacturers may also be considered. American style stretched vehicles may also qualify for exemption.
 - The vehicle will be in an immaculate condition with no visible defects, dents or blemishes to the external bodywork or internal trim.
 - The vehicle is to be used for executive or special occasion work only, good examples of these are:
 - Transport to and from Business Corporate Events, Conferences, Exhibitions and Meetings.
 - Chauffeured services.
 - School Proms
- 3.4 Applications may only be made by a person holding a private hire operator's licence issued by Braintree District Council.
- 3.5 Where a proprietor wishes to make an application for a vehicle to be exempt from displaying an external identification plate they will be required to complete the appropriate section on the vehicle application form.
- 3.6 The Council may require applicants to provide any additional documentation as reasonably necessary to allow the Council to make an informed decision. Where such documentation is not provided to the satisfaction of the Council the application will be refused.
- 3.7 Where an application is granted and a vehicle is exempted from displaying its external identification plate an exemption notice will issued as soon as practical after the decision is made
- 3.8 Irrespective of when an exemption notice is granted the initial exemption notice will expire on the same day as the expiration of the vehicles current private hire licence, unless it is otherwise surrendered or revoked. Thereafter any renewed exemption notice will last for a

period of time that is coterminous with that vehicle's private hire licence unless either the licence or notice is otherwise surrendered or revoked.

- 3.9 Exemption notices may be renewed annually subject to the vehicle under-going a re-inspection by a Licensing Officer to ensure that it continues to be fit for purpose.
- 3.10 The authority to determine any application for an exemption notice is by virtue of this policy delegated to the Council's Licensing Officer.
- 3.11 In the event of an applicant being dissatisfied with the decision of the officer, the applicant may make a written application for a review of the decision by a Sub Committee of the Licensing Committee.
- 3.12 Other than where to do so would conflict with the requirements of this policy, all vehicles granted an exemption notice must, in addition to the requirements of this policy, comply with the requirements for private hire vehicle.

4. FEES

- 4.1 The fee for a Private Hire vehicle with an exemption from displaying plates and door signage will remain the same as Private Hire without an exemption. The reduced cost of not producing the front plate and door signage is offset by the additional cost of inspecting the vehicle.

5. CONDITIONS

THE BELOW CONDITIONS APPLY TO ALL PRIVATE HIRE VEHICLES GRANTED AN EXEMPTION BY BRAINTREE DISTRICT COUNCIL FROM THE REQUIREMENT TO DISPLAY AN EXTERNAL IDENTIFICATION PLATE, AND ARE IN ADDITION TO THE CRITERIA AND CONDITIONS SET OUT IN THE PRIVATE HIRE CONDITIONS.

- a) The identification plate and exemption notice provided by the Council pursuant to requirements of the Local Government (Miscellaneous Provisions) Act 1976 shall remain the property of the Council.
- b) Any vehicle granted an exemption from displaying an external identification plate will be required to have the identification plate normally displayed on the rear of the vehicle affixed to the inside of the boot lid. The plate when so affixed **must** be readily visible when that boot lid is raised.
- c) In the event of loss or damage rendering such plate or notice unserviceable the proprietor shall make immediate application for a replacement.

- d) The exemption notice issued by the Council will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council or any Police Officer.
- e) When operating under the exemption notice the windscreen badge issued by the licensing authority will be displayed at the nearside of the front windscreen at all times.
- f) The proprietor will not display in, on or from the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.
- g) During the period of the exemption notice the driver of the vehicle whilst engaged on private hire work will be smartly dressed in either a formal chauffeur's uniform or a business suit with collar and tie.
- i) The proprietor shall within one working day notify the Council of any change in the use of the vehicle.
- j) The proprietor shall not use the vehicle for private hire purposes other than for executive use (i.e. not for 'normal' airport journey's or daily private hire use).
- k) The driver and passenger front side window glass and the front windscreen must be clear. However, tinted windows can be fitted to the side and rear window glass of the vehicle provided that they comply with current legislation.
- l) The exemption will cease to have effect on selling or transferring the vehicle to another party. The person to whom the exemption is granted must inform the council of the sale/transfer of ownership immediately and in writing, and provide details of the new owner. The exemption notice must be returned to the Council along with the private hire vehicle identification plate unless being sold to another private hire operator licensed by the Council; in which case, only the exemption notice has to be returned.
- m) A taximeter will not be installed in the vehicle.